



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2017 Biennium

<b>Bill #</b>	SB0276	<b>Title:</b>	Establish directory of medicaid personal care services in Montana
<b>Primary Sponsor:</b>	Webb, Roger	<b>Status:</b>	As Introduced

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact     | <input checked="" type="checkbox"/> Needs to be included in HB 2 | <input checked="" type="checkbox"/> Technical Concerns   |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts           | <input type="checkbox"/> Dedicated Revenue Form Attached |

### FISCAL SUMMARY

	<u>FY 2016 Difference</u>	<u>FY 2017 Difference</u>	<u>FY 2018 Difference</u>	<u>FY 2019 Difference</u>
<b>Expenditures:</b>				
General Fund	\$27,500	\$9,100	\$9,237	\$9,375
Federal Special Revenue	\$27,500	\$9,100	\$9,237	\$9,375
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
Federal Special Revenue	\$27,500	\$9,100	\$9,237	\$9,375
<b>Net Impact-General Fund Balance:</b>	<u>(\$27,500)</u>	<u>(\$9,100)</u>	<u>(\$9,237)</u>	<u>(\$9,375)</u>

**Description of fiscal impact:** SB 276 would require the creation of a database to provide an electronic directory of providers of personal assistance or attendant services and supports.

### FISCAL ANALYSIS

#### Assumptions:

1. This reporting/query mechanism is assumed to be a relational document database. It is estimated that each of the Personal Assistance Providers would have between eight and fifteen data elements. The database would need a front end data entry facing capability for entry and updating of information and to be searchable with a webpage front end.
2. A relational database of this type would cost approximately \$46,000 for a clustered model with additional annual costs for licensing each user of \$1,000, and \$6,000 per server. Annual maintenance for the software is estimated to be \$9,200.
3. Estimated cost for this directory would be \$46,000 one-time only and \$18,200 in annual licensing and maintenance.
4. This database would be funded at the Medicaid administrative rate of 50% general funds and 50% federal funds.

5. New section 1 (6) allows for rule making authority. Two pages of rules are estimated to be required to enact the requirements of this bill. The Secretary of State charges \$50 per page for publishing of administrative rules. The department would absorb this cost in its existing budget.
6. Senior and Long Term Care Division will manage this directory with existing staff resources.

	<b><u>FY 2016 Difference</u></b>	<b><u>FY 2017 Difference</u></b>	<b><u>FY 2018 Difference</u></b>	<b><u>FY 2019 Difference</u></b>
<b><u>Fiscal Impact:</u></b>				
<b><u>Expenditures:</u></b>				
Operating Expenses	\$55,000	\$18,200	\$18,473	\$18,750
<b>TOTAL Expenditures</b>	<b>\$55,000</b>	<b>\$18,200</b>	<b>\$18,473</b>	<b>\$18,750</b>
<b><u>Funding of Expenditures:</u></b>				
General Fund (01)	\$27,500	\$9,100	\$9,237	\$9,375
Federal Special Revenue (03)	\$27,500	\$9,100	\$9,237	\$9,375
<b>TOTAL Funding of Exp.</b>	<b>\$55,000</b>	<b>\$18,200</b>	<b>\$18,473</b>	<b>\$18,750</b>
<b><u>Revenues:</u></b>				
General Fund (01)	\$0	\$0	\$0	\$0
Federal Special Revenue (03)	\$27,500	\$9,100	\$9,237	\$9,375
<b>TOTAL Revenues</b>	<b>\$27,500</b>	<b>\$9,100</b>	<b>\$9,237</b>	<b>\$9,375</b>
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u></b>				
General Fund (01)	(\$27,500)	(\$9,100)	(\$9,237)	(\$9,375)
Federal Special Revenue (03)	\$0	\$0	\$0	\$0

**Technical Notes:**

1. Section 1 (5), the departments may not collect personally identifiable information about direct care workers, conflicts with Montana ARM and MCA:
  - a. Montana ARM 37.85.414 MAINTENANCE OF RECORDS AND AUDITING(3) states “ The department, the designated review organization, the legislative auditor, the Department of Revenue, the Medicaid fraud control unit, and their legal representatives shall have the right to inspect or evaluate the quality, appropriateness, and timeliness of services performed by providers, and to inspect and audit all records required by this rule.”
  - b. Montana Code Annotated (MCA) 53-6-155. Definitions (15) (a) "Records" means medical, professional, business, or financial information and documents, whether in written, electronic, magnetic, microfilm, or other form:
    - (i) pertaining to the provision of treatment, care, services, or items to a recipient;
    - (ii) pertaining to the income and expenses of the provider; or
    - (iii) otherwise relating to or pertaining to a determination of eligibility for or entitlement to payment or reimbursement under the Medicaid program.
- (b) The term includes all records and documents, regardless of whether the records are required by Medicaid laws, regulations, rules, or policies to be made and maintained by the provider.

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*Sponsor's Initials*\_\_\_\_\_  
*Date*\_\_\_\_\_  
*Budget Director's Initials*\_\_\_\_\_  
*Date*